



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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APR 16 2012

OFFICE OF
ENVIRONMENTAL
CLEANUP

The Honorable Leonard Forsman
Chairman, The Suquamish Tribe
Office of the Executive Director
18490 Suquamish Way
Suquamish, Washington 98392

Re: Offer of Government-to-Government Consultation for the Bremerton Auto
Wrecking/Gorst Creek site in Gorst, Washington

Dear Chairman Forsman:

The purpose of this letter is to invite the Suquamish Tribe to initiate government-to-government consultation with the U.S. Environmental Protection Agency regarding the draft Engineering Evaluation and Cost Analysis report for the Bremerton Auto Wrecking/Gorst Creek site located at or around 4275 State Highway 3 in Gorst, Washington. The site has been assessed by the EPA Emergency Response and Removal Program and is being considered for a Non-Time Critical removal.

The EPA recognizes its unique legal relationship with Tribal governments as set forth in the United States Constitution, treaties, statutes, executive orders, and court decisions. The EPA's Policy on Consultation and Coordination with Indian Tribes identifies response actions that may affect a tribe(s) activities that are normally appropriate for consultation. We are writing you now to offer a formal government-to-government consultation process to ensure you have the opportunity to consult with the EPA prior to the important decisions we plan to make over the next few months.

The Site is a former landfill site near Port Orchard in Kitsap County, Washington. The Site was operated as a landfill from the 1950s until 1989. During this time, the landfill primarily received auto wrecking wastes but also received other wastes, such as medical waste and demolition debris from Puget Sound Naval Shipyard, as well as demolition debris and municipal solid waste from other sources.

The actual or threatened release of hazardous substances within and from the Site may present an imminent and substantial endangerment to the public health, welfare, or the environment within the meaning of Section 106(a) of CERCLA, 42 U.S.C. §9606(a). The EPA prepared the draft EE/CA to identify and evaluate removal action alternatives to mitigate off-site migration of the landfill contaminants of concern and the potential impounding of surface water.

The objectives for the proposed removal actions evaluated in this EE/CA are to protect human health and the environment by preventing human and ecological receptor contact with landfill contents and associated hazardous substances, and to comply with applicable or relevant and appropriate requirements to the extent practicable. Specific removal action objectives include either removing the contents of the landfill and transferring them to a secure off-site facility or providing an engineered solution that affords sufficient hydraulic conveyance to prevent upstream surface water impoundment.

The releases from this Site are of particular concern because of the site's location on a tributary to Puget Sound, the restoration and protection of which is one of our shared priorities. Commercial and recreational fishing also occur in this area.

The EPA staff have been in contact with Alison O'Sullivan, Suquamish Tribe Biologist, and participated in the Gorst Creek comprehensive watershed plan advisory committee meetings. Ms. O'Sullivan has indicated that the Tribe has an interest in the Site and may wish to be involved in future response actions at the Site.

The EPA is inviting the Suquamish Tribe to participate in government-to-government consultation with the EPA regarding the potential for a Non-Time Critical Removal at the Bremerton Auto Wrecking/Gorst Creek site. If your Tribal government would like to initiate government-to-government consultation, please have your staff notify Jeffry Rodin, Federal On-Scene Coordinator for this site, by no later than May 15, 2012. Jeff can be reached at (206) 553-6709, or at rodin.jeffry@epa.gov, and will make himself available to discuss any technical aspects of the Site as well as to discuss options and schedules for conducting government-to-government consultation.

A public notice regarding the EE/CA is also being published. The formal public comment period will run from April 21 through May 21, 2012. The documents for the EE/CA are also available on the following web link: <https://www.epaossc.org/BremertonAutoWreckingGorstCreek>. If you would like a printed copy of the EE/CA document, we can arrange to get one to you or your staff.

You are welcome to contact me at (206) 553-1855, or have your staff contact Jeffry Rodin, if you any questions regarding this letter or the proposed Non-Time Critical Removal.

Sincerely,



Daniel D. Opalski
Director

cc: Ms. Alison O'Sullivan
Biologist, Suquamish Tribe